

REMARKS/ARGUMENTS

Applicants' undersigned representative extends thanks to Examiner Colleen Hoar and Primary Examiner Namrata Boveja for the courtesy of a telephone interview on October 29, 2010. In response to the non-final Office Action dated June 10, 2010 and pursuant to the telephone interview, claim amendments are provided with this document. All the independent claims, comprising claims 1, 11, 22, and 30, have been amended. The claim amendments are supported by the specification, and therefore no new matter is added. It is submitted that the independent claims, as amended, recite features that cannot be provided by any of the cited references. Further examination and reconsideration of the application are requested.

Telephone Interview

As noted by Examiner Hoar's Interview Summary dated November 10, 2010, no agreement on claims was reached during the discussion, but the telephone interview did discuss the inventive features, including calculation of a productivity score in terms of relevance, keywords, and document content. The independent claims have been amended to clarify the scope of the claims. It is submitted that the claims, as amended, are in condition for allowance.

Rejections Under 35 U.S.C. § 102

Claim 5 was previously canceled. In the Office Action, claims 1-4 and 6-36 were rejected as anticipated by U.S. Patent Publication No. 2005/0033641 to Jha.

Rejection of Independent Claim 1

With respect to claim 1, the Office Action asserted that Paragraph [0098] of Jha considers relevancy in selecting an advertisement, and the Office Action concluded that Jha therefore determines a relevancy score and calculates a productivity score using the relevancy score.

As noted during the telephone discussion, Jha contains no discussion for using any relevancy measure to perform a calculation of a productivity value.

Jha discusses using various filters to eliminate ads from selection. Advertiser preferences and publisher preferences can figure into filtering out ads (see [0117] to [0125] of Jha), but filtering does not show or suggest any type of numeric calculation and valuation of

productivity, as recited in amended claim 1. Thus, Jha's filtering operations on the content of advertisements cannot provide the features of claim 1 as amended.

Claim 1 has been reviewed and has been amended to reflect the novel features described in the specification, features which it is asserted are not possible from Jha. These features include determining a relevance score for keywords in a preexisting document, calculating productivity values based on payment (e.g, bid) specified by ad sources for one or more of the keywords, comparing the productivity values, and selecting the ad source with the greatest productivity value for delivering an advertisement. These features are described at, for example, paragraphs [035]-[037]. It is noted that the calculated productivity values relate to bids from the ad sources for document keywords; the productivity values do not relate to content of the candidate advertisements. Jha performs filtering based on ad content. Claim 1 as amended recites as follows:

37. (Currently Amended) A method for selecting advertisements for presentation to client computers on a computer network, comprising:

(a) having on a server computer a plurality of possible advertisements that may be presented to a client computer ~~and having at least one key word associated with each advertisement;~~

(b) receiving from a client computer a request for delivery from a server of a preexisting document containing words;

(c) determining a ~~relevancy~~ relevance score for keywords in the preexisting document;

(d) selecting from the plurality of advertisements a first selected ~~advertisement~~ ad content source for a first one of the possible advertisements and a second selected ~~advertisement~~ ad content source for a second one of the possible advertisements ~~in response to identifying an associated key word of the respective advertisements that matches a word in the requested preexisting document;~~

(e) ~~comparing~~ calculating a first productivity value associated with the first selected advertisement-ad source wherein the first productivity value is based on payment specified by the first selected ad content source for one or more keywords in the preexisting document and is based on the relevance score of the one or more keywords corresponding to the specified payment by the first selected ad content source; and

(f) calculating a second productivity value associated with the second selected advertisement-ad source wherein the second productivity value is based on payment specified by the second selected ad content source for one or more keywords in the preexisting document and is based on the relevance score of the one or more keywords corresponding to the specified payment by the second selected ad content source and further selecting the advertisement with the higher productivity value as a further selected advertisement;

(g) comparing the first productivity value and the second productivity value and selecting the corresponding ad content source with the higher productivity value; and

(h) delivering to the client computer an advertisement from the further selected advertisement-corresponding ad content source along with the requested preexisting document in response to the received request[[:]]

~~wherein the productivity value is calculated using the relevancy score.~~

Thus, claim 1 as amended recites particular calculations using particular parameters, none of which are shown or suggested by Jha. Therefore, Jha does not anticipate claim 1. Applicants respectfully request withdrawal of the Section 102 rejection of claim 1.

Rejection of Independent Claim 11

Claim 11 was rejected over Jha as being anticipated.

Claim 11 as amended is a method that includes (a) determining a relevance score for keywords of a preexisting document, (b) determining at least one valuation of source content

from each of two or more supplemental content sources, (c) generating a productivity score for each of the supplemental content sources based on the corresponding content valuation for the supplemental content source and the relevance score for the keywords, wherein the productivity score comprises an expected revenue total for each respective supplemental content source, (d) selecting the supplemental content source having the greatest productivity score, and (e) serving the requested preexisting document and supplemental content from the selected supplemental content source.

Claim 11 as amended recites as follows:

~~3841.~~ (Currently Amended) A method for selecting content for display at a client computer communicating over a computer network, the method comprising:

(a) determining a relevance score for keywords of a preexisting document at a server computer for delivery to a client computer from which a request for the preexisting document was received;

(b) determining at least one valuation of source content from each of two or more supplemental content sources;

(c) generating a productivity score for each of the supplemental content sources ~~in accordance with~~ based on the corresponding content valuation for the supplemental content source and the relevance score for the keywords of the preexisting document, wherein the productivity score comprises an expected revenue total for each respective supplemental content source;

(d) selecting the supplemental content source having the greatest productivity score; and

(e) serving the requested preexisting document and supplemental content from the selected supplemental content source for delivery to the requesting client computer in response to the received request[[:]]

~~wherein the productivity value is calculated using the relevancy score.~~

It is asserted that the features of claim 11 as amended are not shown or suggested by Jha. The filtering operations of Jha on the content of advertisements do not show or suggest any type of numeric calculation and valuation of productivity, as recited in amended claim 11. Thus, claim 11 is not anticipated by Jha. Applicants respectfully request withdrawal of the Section 102 rejection of claim 11.

Rejection of Independent Claim 22

Claim 22 was rejected over Jha as being anticipated.

Similar to claim 1 and 11 discussed above, claim 22 as amended contains features that are not shown or suggested by Jha, and therefore claim 22 is not anticipated by Jha.

More particularly, claim 22 as amended recites determining a relevance score for content keywords contained in a preexisting document in response to a request received from the client computer for delivery of the preexisting document from a server, determining revenue generation potential of the keywords contained in the requested preexisting document from a plurality of candidate ad content sources based on payment specified by each of the candidate ad content sources for one or more keywords in the preexisting document, calculating a productivity score for each of the candidate ad content sources based on the determined revenue generation potential and the determined relevance score, and selecting the candidate ad content source having the greatest productivity score for delivery of ad content associated with the selected ad content source, along with the preexisting document, in response to the received request.

Jha cannot provide these features. Jha discusses using various filters to eliminate ads from selection, but the filtering operations of Jha on the content of advertisements does not show or suggest any type of numeric calculation and valuation of productivity for bids from content sources, as recited in amended claim 22. Thus, claim 22 is not anticipated by Jha. Applicants respectfully request withdrawal of the Section 102 rejection of claim 22.

Rejection of Independent Claim 30

Claim 30 was rejected over Jha as being anticipated.

Similar to claim 1, 11, and 22 discussed above, claim 30 as amended contains features that are not shown or suggested by Jha, and therefore claim 30 is not anticipated by Jha.

Claim 30 relates to a system having a receiving module and a selecting module, in which the receiving module receives a request for delivery of a preexisting document containing words. The selecting module determines a relevancy score for keywords in the preexisting document, and selects from a plurality of possible advertisements, each associated with a corresponding plurality of ad content sources. To perform the selecting, the selecting module compares a first productivity value associated with the first selected advertisement, wherein the first productivity value is based on payment specified by the first ad content source for one of more keywords in the preexisting document and is based on the relevance score of the one or more keywords corresponding to the specified payment by the first ad content source, and compares a second productivity value associated with the second selected advertisement, wherein the second productivity value is based on payment specified by the second ad content source for one of more keywords in the preexisting document and is based on the relevance score of the one or more keywords corresponding to the specified payment by the second ad content source. The selecting module selects the advertisement from the ad content source with the higher productivity value as a further selected advertisement, and delivers to the client computer the further selected advertisement along with the requested preexisting document.

Jha cannot provide these features. Jha discusses using various filters to eliminate ads from selection, but the filtering operations of Jha on the content of advertisements does not show or suggest any type of numeric calculation and valuation of productivity for bids from content sources, as recited in amended claim 30. Thus, claim 30 is not anticipated by Jha. Applicants respectfully request withdrawal of the Section 102 rejection of claim 30.

Rejection of Dependent Claims 2-4, 6-10, 12-21, 23-29, 31-36

The dependent claims 2-4, 6-10, 12-21, 23-29, 31-36 were rejected over Jha as being anticipated.

Claim 31 has been canceled, rendering its rejection moot. Various dependent claims have been amended for purposes of proper antecedent basis from the independent claims.

The remaining dependent claims 2-4, 6-10, 12-21, 23-29, and 32-36 depend directly or indirectly from one of the independent claims 1, 11, 22, and 30, and include all the

features of the respective independent claim from which they depend. Therefore, these dependent claims are not anticipated and are allowable, for at least the reasons discussed above with respect to the independent claims. Applicants respectfully request withdrawal of the Section 102 rejection of claims 2-4, 6-10, 12-21, 23-29, and 32-36.

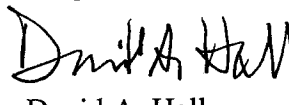
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



David A. Hall
Reg. No. 32,233

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
Attachments
DAH:dah
62828793 v1